

Date

Angelique T. Williams
5329 Vermillion Boulevard
New Orleans, LA 70122

Re: Ethics Board Docket No. 2016-306

Dear Ms. Williams:

The Louisiana Board of Ethics, at its May 20, 2016 meeting, considered your request for an advisory opinion as to whether you may become a certified Mental Health Consultant with the Louisiana Department of Health and Hospitals (DHH). You stated that you are currently employed with the Louisiana Department of Education within the Child Care Licensing Division which licenses all child care providers in Louisiana. You also stated that your job duties include licensing child care centers in the New Orleans and Northshore regions. Finally, you stated that a Mental Health Consultant's job duties include conducting staff trainings for child care providers, and that these trainings are paid directly by the child care providers to the Mental Health Consultant. DHH's only involvement would be to certify the Mental Health Consultant and place them on a list of providers.

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would prohibit you from providing compensated services as a Mental Health Consultant to child care providers located in Louisiana. Section 1114C(2)(d) of the Code generally prohibits a public servant from rendering services for compensation to any person if that person has or is seeking to obtain contractual or other business or financial relationships with the agency of the public servant, if that person is conducting activities or operations regulated by the agency of the public servant or if that person has substantial economic interests that may be substantially affected by the performance or nonperformance of official duties by the public servant. Section 1102(16) defines "person" as an individual or legal entity other than a governmental entity, or agency thereof. Your agency, the Louisiana Department of Education's Child Care Licensing Division, licenses all child care providers located in Louisiana. Therefore, you would be prohibited from providing compensated services to all child care providers in Louisiana.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Jennifer T. Land